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25 January 2010

The Hon. Denny Chin
United States District Judge
Daniel Patrick Moynihan Courthouse
500 Pearl St.
New York, NY 10007-1312

Re: The Authors Guild, Inc., Association of American Publishers, Inc., et al. v
Google Inc., No 05 Civ 8136 (DC)

Dear Judge Chin:

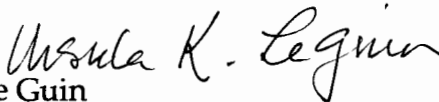
The enclosed petition regarding the Google Book Settlement has been posted for the last few weeks on my web site and on Book View Café, an e-publishing cooperative web site for writers. I invited other professional authors to add their signatures to mine on the petition. I asked that only those authors sign who make all or part of their living from copyrighted works. I have opted out of the settlement. I do not know if the other authors who signed the petition have opted out, opted in, or done nothing with respect to the settlement.

These 367 signatures follow the petition with my signature.

All the authors who responded included their email address, but as I am told that material submitted to the Court may be made public, I left off the addresses to protect the signers' privacy. Writers from outside the United States are so indicated by their nationality in parentheses after their name.

I ask that this letter, the petition, and the names of the signers be placed in the official case file for the case listed above involving the Google Book Settlement that will be heard on February 18, 2010.

Thank you.

Yours truly,

Ursula K. Le Guin

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PETITION CONCERNING THE GOOGLE BOOK SETTLEMENT

The Google Settlement was negotiated by the Authors Guild, without consultation with any other group of authors or American authors as a whole. The Guild cannot and does not speak for all American writers. Its settlement cannot be seen as reflecting the will or interest of any group but the Guild.

Three groups of American writers, the National Writers Union, the American Society of Journalists and Authors, and the Science Fiction and Fantasy Writers Association, are opposed to the settlement. So are all the signatories of this letter: professional writers, who make part or all their living from their copyrights.

Ireland, India, South Africa, and New Zealand (countries with active publication in English) protested the settlement and have been exempted from it. The governments of Germany and France protested unregulated digitization and have been exempted from the Settlement (and the French Government is suing Google for illegal digitization of copyrighted property.)

We ask that the United States also be exempted from the settlement. We ask that the principle of copyright, which is directly threatened by the settlement, be honored and upheld in the United States.

The "opt-out" clause in the Settlement is most disturbing:

First, it seems unfair that, by the terms of the class-action settlement, authors can officially present objections to the Court only by being "opted in" to the settlement and thereby subjecting themselves to its terms.

Second, while the "opt-out" clause appears to offer authors an easy way to defend their copyright, in fact it disguises an assault on authors' rights. Google, like any other publisher or entity, should be required to obtain permission from the owner to purchase or use copyrighted material, item by item.

There is no justification for reversing that rule by forcing copyright owners to defend their right against every careless or predatory use of the material, thus rendering copyright essentially meaningless.

The United States Department of Justice agrees, having declared that Google should negotiate individually with copyright holders. The Director of the United States Copyright Office calls the Settlement "an end-run around copyright law."

The free and open dissemination of information and of literature, as it exists in our Public Libraries, can and should exist in the electronic media. All authors hope for that. But we cannot have free and open dissemination of information

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and literature unless the use of written material continues to be controlled by those who write it or own legitimate right in it. We urge our government and our courts to allow no corporation to circumvent copyright law or dictate the terms of that control.

Signed:


Ursula K. Le Guin

(and attached list of signers)

List of Authors Opposing the Google Book Settlement/Page 1

Millicent Borges Accardi
Danny Adams
Max Adams
Nona Aguilar
Brigit Aine
Sara Amis
Karla Andersdatter
Douglas A. Anderson
Donna Andrews
Judith Arcana
William H. Ash III
Lori K. Baker
Susan Pease Banitt
Douglas Barbour (CANADA)
Darryl Barnes
David M. Bartell
Anita Bartholomew
Ray Bartlett
Michel Basilières (Canada)
Elizabeth Bear
Marc Beaudin
Georgia Beaverson
William Bedford
Angela Benedetti
Carol Berg
Gail J. Berg
Mary Rose Betten
David Biespiel
Madeline Bodin
Moe Bowstern (aka Lara Mulvaney)
Irene Brady
R V Branham
Greg Breining
Marie Brennan
Patricia Briggs
Steven Brown (Stan!)
N M Browne (UK)
Jonathan Buckley
Beverly Burmeier
Ken Burnside
Julie Ann Burton / Jenn Saint-John
M.L. Bushman
Charles Butler
Mary Lynn Cabrall

List of Authors Opposing the Google Book Settlement/Page 2

Ken Cadow
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Mike Cane
Michael Capobianco
Amy Sterling Casil
Richard Cass
Victor M. Cassidy
Christine Cole Catley
Karen Christino
Margaret Chula
Chris Clarke
Amanda Cockrell
Brian E. Cooper
E.W. (Ellen) Count
Brad Crawford
J.D. Crayne
Barbara Crooker
Eliza Cross
Raul daSilva
Meryl Davids
Steve Davidson
Robert A. Davies
Kathryn Lynn Davis
Milly Dawson
Francesca De Grandis
Guy Anthony De Marco
Pamela Dean
Stephen Delaney
Alyx Dellamonica
Barbara Demarco-Barrett
Jackie Dishner
Roger Dorband
John Dougherty (U.K.)
Ramsay Dow
Matt Doyle
Noreen Doyle
Laree Draper
Dave Draper
Lisa Duchene
Joe Dully
Hal Duncan
Ann Dupuis
E.T. (Cy) Eberhart
John Edge

List of Authors Opposing the Google Book Settlement/Page 3

Rosemary Edghill
Sabine Eiche
Carol Ekarius
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Thomas Evans
D.R. Evans
Julie Fanselow
Fawn Fitter
Judith Fitzgerald
Sean P. Fodera
Tim Folger
James Talbot Frain
Scott Fratcher
Barb Freda
I.G. Frederick
Judith Freeman
Rebecca French
Paula Friedman
Mark L. Fuerst
Cathie Gandel
Lynne Garner (U.K.)
Melissa Gaskill
Phillis Gershator
Jason E. Gillikin
Laura Anne Gilman
Rachel Gladstone-Gelman
Molly Gloss
Joe Gold
Kim Goldberg
Stephanie Golden
Toni Goldfarb
Lisa Goldstein
Mickey Goodman
Michelle Goodman
Felicity Goodyear-Smith (NZ)
Jodie Gould
Steven Gould
Timothy Gower
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Shawn Granger
Beverly Gray
Frances Grimble
Mavis Guinard
Eileen Gunn

List of Authors Opposing the Google Book Settlement/Page 4

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Lisa Harkrader
Deborah Harmes
Edward Hasbrouck
Justin Adams Haven
John Hedtke
John G. Hemry /Jack Campbell
John Henley
Saxon Henry
Roland Hess
James A. Hetley
Jack Hillman
Bill Hinchberger
Jim C. Hines
Peter Hobbs
Harriet Hodgson
Rachel Holmes (U.K.)
Lynley Hood (N.Z.)
Kay Hooper
Elizabeth Meade Howard
Keri Hulme (N.Z.)
Deborah R. Huso
Blake Hutchins
Shane Ivey
Angie Jabine
Betsy James
Roby James
Victoria Janssen
Jan Jasper
Liesl Jobson (SOUTH AFRICA)
Judith Johnson
Larissa Brittany Johnson
Gwyneth Jones
Miracle Jones
Spike Y Jones
Mary Kaiser
Stacia Kane
Judith Karpova
Christine Kuehn Kelly
Steve Kenson

List of Authors Opposing the Google Book Settlement/Page 5

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Brittany Kingston
James Kite
Ellen Klages
Martin Klimes
Andrew Kozma
Bill Kropla
Ondine Brooks Kuraoka
Louise Lacey
Mercedes Lackey
Marc Laidlaw
Sarah Lamstein
Ruth Laney
Cassandra Langer
Katherine Langrish
Rodger Larson
Jack Lasenby (N.Z.)
Janine Latus
Christina R. Lay
Jack Baldwin LeClair
Stephen Leigh
Lisbeth Levine
John R Levine
Isaac Levy
Peter R. Limburg
Jonathan Lipkin
Norman M. Lobsenz
Elise Logan
James Lowder
Sallie Lowenstein
Michael W Lucas
Rosalie Maggio
Daryl F Mallett
Roger Marshall
Lee Martindale
Joan Mazza
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Vonda N. McIntyre
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Sandra Miller-Louden
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John Moore
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Evan Morris
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Katherine Nabity
Joanna Nadin
Elizabeth Sussman Nassau
Judy Nedry
Erik Ness
Richard Jeffrey Newman
Claire Nolan
Fredrick Rea O'Keefe
Jerry Olton
Luis Ortiz
Naomi Otsubo
James A. Owen
Lisa L. Owens
Helen Oyeyemi
Maggie M. Paquet (CANADA)
Richard Parks
Wendy Patterson
Claudia Pearson
Susan K. Perry
Lawrence Person
Catherine M. Petrini
Evelyn Jean Pine
Lavinia Pisano
Kate Pocock
Paul Preuss
Joan Price
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Phyllis Radford
Cornelia Read
Melissa Readon
Bonnie Remsberg

List of Authors Opposing the Google Book Settlement/Page 7

Laura Resnick
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Dick Richards
Linda Riebel
Mimi Riser
Madeleine E. Robins
Kim Stanley Robinson
Deborah Robson
Peter Rock
John Rosengren
Betsy Rosenthal
Adrienne Ross
Carolee Ross
Manuel Royal
John Royce
Beth Rubin
Helen Ruggieri
Sue Russell
Jesse Jayne Rutherford
Vicki Salemi
Deb Salisbury
Anne Sanders (Australia)
Patricia Sargeant
Willa Schneberg
Lani Schonberg
Candace Schuler
Daylle Deanna Schwartz
Kamila Shamsie
Marie Shear
Anna Sheehan
Tamara Sheehan
Jean Sheldon
Walt Shiel
Denise Siino
Andrew G. Simpson
Ruth Singer
Vandana Singh
Shelley Slouza
Sonya Smith
Karen Smith (CANADA)
Cheryl Solimini
Lisa Spangenberg
Bud Sparhawk
Philip Spiegel

List of Authors Opposing the Google Book Settlement/Page 8

Gillian Spraggs (United Kingdom)

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Michael A. Stackpole

Allen Steele

Jonathan Steinberg

John Stickler

Brooke C. Stoddard

Michael Swanwick

Claire Sykes

Judith Tarr

James Taylor

Charlene Teglia

Philip Temple (N.Z.)

Malinda Terry

Allan Terry

Bridget Mintz Testa

Sheree Renee Thomas

Amy Thomson

Jeff Tidball

Rachel Tillman

Pamela Toler

Debra Traverso

Liza Groen Trombi

Jerome Tuccille

Barbara J. Turner

Donna Van Cleve

Raymond Van Over

Elisabeth Vonarburg (Canada)

Dian Vujovich

Ken Wachsberger

John Walker (Australia)

James Waller

Jo Walton

Andrea Warren

John F. Wasik

Bud Webster

Katharine Webster

Marvin Weisbord

Henry Wessels

Brook West

Martha Ullman West

Victoria Wheeler

Charles Whipple

Russell Wild

List of Authors Opposing the Google Book Settlement/Page 9

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Brandon Wilson
Marsha Winborn
Michele Wojciechowski
Jenny Woolf (U.K.)
Jennifer Worick
Sharon Wood Wortman
Helen S. Wright (UK)
Jan Wright
Rustin H. Wright
Jane Yolen
Martin Zucker